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June 11, 2012

Capt. C. R. Pietras USN
Ms. Tuwanna Cummings
c/o Department of the Navy
Navel Sea Systems Command
1333 Isaac Hull Avenue
Washington Navy Yard, D. C.

Mr. Neil Thomas
c/o Texas Parks and Wildlife Dept.
4200 Smith School Road
Austin, Texas 78744

RE: Battleship Texas Dry Berth Project

Dear Captain Pietras:

The purpose of this letter is to clarify our observations relating to the "reasonable alternatives" analysis on the Battleship Texas project.

At the January 26, 2012 meeting of consulting parties required by Section 106 of the National Historic Preservation Act for the Battleship Texas Dry Berth Project, NAVSEA and TPWD indicated that they would undertake a "hard look" at reasonable alternatives to the "sand box" dry berth, called Option 5. At that time, TPWD stated that Option 5 cost estimates were unknown. In addition, (a) no towability analysis had been conducted, and (b) no such analysis was planned by TPWD although alternative locations would be considered. Consulting parties were given until May 31 to submit reasonable alternative proposals to Option 5, including proposals for alternative locations for the ship.

I wrote TPWD a letter, dated January 30, 2012, asking for a letter confirming that TPWD will consider proposed alternative *locations* and encourage submission of proposals. I also asked for assurance that AECOM and other contractors would be available to discuss the current condition of the ship and what will be involved in towing, preserving, and repairing the ship, including cost estimates. TPWD responded by letter dated February 10, 2012, stating that TPWD's website would be updated to indicate that TPWD is "accepting proposals for all reasonable alternatives to the dry berth" as long as such proposals conform to "site evaluation criteria" and are "well substantiated and clearly demonstrate their viability, to include financial considerations."

On the TPWD website, the site evaluation criteria mentions various constraints on towing, but no information on the cost of towing or how a citizen could estimate the cost. In addition, the website informs the public that alternatives to the dry berth will be considered, *but the "site evaluation criteria" contradicts that statement by making it clear that only a dry berth solution will be*

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considered. In addition, without any definitive information on Option 5's costs, or a towability analysis, it was not possible to compare any alternative to Option 5.

At the meeting of consulting parties on March 6, 2012, TPWD indicated that the cost estimates for Option 5 and internal ship repairs were not yet completed. Therefore, comparative information to prepare a meaningful alternative to Option 5 was still not available at that date.

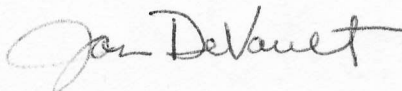
TPWD and NAVSEA did not reveal until June 1, 2012 (based on a letter from AECOM dated May 31, 2012) that the cost of Option 5 would far exceed the available budget. This revelation led TPWD to announce at the consulting party meeting on June 6, 2012, that they would abandon the concept of a dry berth altogether.

We believe that the constraints placed on this "hard look period" made it impossible to offer any meaningful alternative to the dry berth proposal---a proposal that itself turned out to be unreasonable.

Furthermore, we believe that the absence of a proposal should not be interpreted as an indication that alternative locations for the ship could not be found, or that alternative locations are no longer desirable or feasible. We continue to believe that moving the ship to a site where the ship receives greater visibility, attendance, and financial support, in comparison to conditions at the current site of the berth, is the only way the ship can become financially sustainable and a viable tourist destination over the long-term.

Best regards,

SAN JACINTO BATTLEGROUND ASSOCIATION

A handwritten signature in cursive script, appearing to read "Jan DeVault".

Jan DeVault